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SECRETARY

LOUISIANA FLOODPLAIN MANAGEMENT



FACTSHEET

DEC. 2006

Issued quarterly by the Louisiana Dept. of Transportation & Development-Floodplain Management Section

Volume 23-Number 1

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The LOUISIANA FLOODPLAIN MANAGEMENT *FACTSHEET* is published through assistance provided by FEMA under the Community Assistance Program State Support Services Element of the National Flood Insurance Program (NFIP). The contents do not necessarily reflect the views and policies of the Federal Government.



“NEW”
January 1, 2007

- ◆ FEMA Elevation Certificate
- ◆ State Building Codes
- ◆ Elected Officials

◆ The new FEMA Elevation Certificate is effective 01/01/07 for reference go to: www.fema.gov/business/nfip/elvinst.shtm

◆ Effective 01/01/07, all municipalities and parishes shall enforce the Louisiana State Uniform Construction Code. For a Model Building Code Ordinance go to:

www.lamunis.org/

ALSO, see Pages 6 & 7

◆ If your community has a NEW Mayor, Parish President, Clerk, Building Inspector, etc. PLEASE CONTACT OUR OFFICE WITH THAT INFORMATION

225 – 274-4354

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thanks

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Historic East Feliciana Parish Courthouse, Clinton Louisiana

WELCOME: EAST FELICIANA PARISH

On October 2, 2006 East Feliciana Parish officially became a participant in the National Flood Insurance Program

THE GOVERNOR'S OFFICE of
HOMELAND SECURITY AND
EMERGENCY PREPAREDNESS
[GOHSEP]

Has initiated a newsletter - it can be
found on the following website:

[www.ohsep.louisiana.gov/newsletters/
newsletters_main.htm](http://www.ohsep.louisiana.gov/newsletters/newsletters_main.htm)

Cameron Parish

is the parish
with the
most land area
in the State of Louisiana

The annual **LFMA Conference** will be held April 25-27, 2007
at the Best Western in Alexandria, LA

If you are interested in a "spouse-tour" please contact Melissa
Becker, Rapides Parish, 318/487-5401, ext. 10 or
mbecker@rapidesplanning.com

Mitigation Plans Across the State Approved

Over the last twelve months, Louisiana's communities have made great strides toward completing their hazards plans. One year ago, Louisiana had only four FEMA-approved hazard mitigation plans. Since then, local partners, GOHSEP and FEMA have worked diligently together to make unprecedented progress. TODAY, the State has 69 of 78 FEMA-approved hazard mitigation plans, 88% of the state's communities are now eligible to receive much needed hazard mitigation grant funding. GOHSEP would like to congratulate its local partners, its staff, and FEMA on this outstanding example of teamwork and dedication.



COBRA Zones

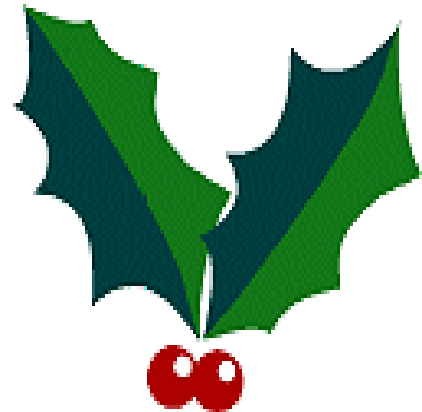
The Coastal Barrier Resources Act (CBRA) of 1982 (16 U.S.C. 3501 – 3510) was enacted to:

- protect vulnerable coastal barriers from development;
- minimize loss of life;
- reduce expenditures of Federal revenues; and
- protect fish, wildlife, and other natural resources.

This law established the Coastal Barrier Resources System (CBRS), which is managed by the U.S. Department of the Interior's Fish and Wildlife Service.

WE WISH YOU and YOUR FAMILY
a MERRY CHRISTMAS and
a HAPPY NEW YEAR !

CINDY, SANDRA, PAM & SUSAN



*** NEW ***

LADOTD FLOODPLAIN MANAGEMENT HAS A NEW WEBSITE

<http://floods.dotd.la.gov>



The NFIP's CRS Program

The NFIP's Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted in participating CRS communities to reflect the reduced flood risk resulting from community actions that meet the three goals of the CRS: (1) reduce flood losses; (2) facilitate accurate insurance rating; and (3) promote awareness of flood insurance.

Saving Lives and Reducing Property Damage

There are now 1,038 communities, nationwide, with 36 of them being in our great state of Louisiana, receiving flood insurance premium discounts because they engage in local mitigation, outreach, and education activities that go beyond minimum NFIP requirements. More importantly, these communities are carrying out activities that save lives and reduce property damage. Currently, Louisiana citizens receive a savings of over \$20 million dollars.

CRS communities represent a significant portion of the nation's flood risk, accounting for more than 67 percent of the NFIP's policy base. Communities receiving premium discounts through the CRS range from small to large, with a broad mixture of flood risks including coastal and riverine.

Premium Discounts Awarded for Activities to Reduce Risks

For CRS participating communities, flood insurance premium rates are discounted in increments of 5 percent. For example, a Class 1 community would receive a 45 percent premium discount, while a Class 9 community would receive a 5 percent discount (a Class 10 community is not actively participating in the CRS and receives no discount). The CRS classes for local communities are based on 18 creditable activities, organized under four categories: (i) Public Information, (ii) Mapping and Regulations, (iii) Flood Damage Reduction, and (iv) Flood Preparedness.

Your Community Could Benefit, Too!

Many communities that are not yet participating in the CRS are already engaged in public information, mapping and regulations, flood damage reduction, and flood preparedness activities that could earn CRS credit once documented. For more information about how to join this successful program, visit the CRS Resource Center <http://training.fema.gov/EMIWeb/CRS/> or call Pam Miller at our office if you have any additional questions.



NATIONAL FLOOD INSURANCE PROGRAM
Floodplain Management Policy Guidance on
Removing Existing (Pre-FIRM) Manufactured Homes
To Avoid Flood Damages

Replacement of a Pre-Flood Insurance Rate Map (Pre-FIRM) Manufactured Home that was Removed to Avoid Flooding.

When an existing (Pre-FIRM) manufactured home is removed from a site in order to avoid flood damages, and returned to the original site or pad, it is not a new placement or replacement. The existing manufactured home is allowed to be placed back on the site or pad without having to meet the minimum NFIP floodplain management requirements including elevation so long as it is not enlarged or altered in any way. In this case, the manufactured home must either be Pre-FIRM on a site outside a manufactured home park or subdivision, or it must be in an existing manufactured home park or subdivision, one which predates the 1989 Final Rule (September 29, 1989). (This rule revised the requirements for the placement or substantial improvement of manufactured homes in existing manufactured home parks or subdivisions in Special Flood Hazard Areas.)

The following rationale supports the policy to allow an existing manufactured home to be removed to avoid flooding and be returned to the original site or pad without having to meet the NFIP floodplain management requirements.

- Removal of an existing manufactured home before the flood avoids damages and reduces or eliminates the need for disaster assistance payments and flood insurance claims. For this reason, FEMA does not want to discourage the removal of individual manufactured homes where feasible.
- FEMA recognizes that some communities may have procedures in place for removing manufactured homes when there is a threat of flooding and may provide local assistance for the removal of manufactured homes to protect life and property. While FEMA can not require communities to adopt plans or procedures for the removal of existing manufactured homes, communities can be encouraged to determine whether existing manufactured homes in existing manufactured home parks or subdivisions or on individual sites in Special Flood Hazard Areas can be safely removed, and to develop plans and procedures for removing and temporarily setting these homes in the event of a flood.
- This approach is consistent with the Standard Flood Insurance Policy which covers a manufactured home. “If you move insured property to a location other than the described location that contains the property, in order to protect it from flood or the imminent danger of flood, we will cover such property while at that location for a period of 45 consecutive days from the date you begin to move it there.” (Section III. Property Covered, C. Coverage C – Other Coverages, b.(2) of the Dwelling Form and General Property Form. In addition, the property owner will be paid “up to \$1,000 for the reasonable expenses incurred to move insured property to a place other than the described location that contains the property in order to protect it from flood or the imminent danger of flood.” (Section III. Property Covered, C. Coverage C – Other Coverages, (b)(1)).

Continued)



Communities that allow existing manufactured homes to be removed to avoid flooding should have a tracking/permitting system in place to ensure that the same home is being returned to the original permanent site or pad. If a community has developed a plan that pre-identifies manufactured homes that would be removed in the event of a flood, the plan should include procedures for determining which manufactured homes were actually removed and which ones are to be returned to their original site or pad. If a community has not developed a plan or individual manufactured home owners initiate removal of their home on their own, the community is still responsible for determining whether the same home is being returned to the original permanent site or pad.

The community should issue some type of re-occupancy permit for owners who want to return the home to the original permanent site or pad as a record to distinguish these from new or substantially improved manufactured homes that must meet the community's floodplain management regulations. A variance under the NFIP Floodplain Management Regulations at 44 CFR 60.6(a) is not required for returning a Pre-FIRM manufactured home to the original permanent site or pad because it is not a new placement or a replacement of or substantial improvement to an existing manufactured home.

Manufactured Home Returned to a Different Site or Pad or Substantially Improved:

If the existing manufactured home that was removed due to the threat of flooding is placed on a different site or pad in the existing manufactured home park or subdivision or is substantially improved even on the original site or pad, it would have to meet, at a minimum, 44 CFR 60.3(c)(12) in all Zones (the manufactured home would have to be elevated to the BFE or be elevated at 36 inches in height above grade).

Manufactured Home Placed in a New Manufactured Home Park or Subdivision:

If the manufactured home that was removed due to the threat of flooding is placed in a new manufactured home park or subdivision, or in the expanded part of an existing manufactured home park or subdivision, or is located on a site outside a manufactured home park or subdivision, it would have to meet the requirements of 44 CFR 60.3(c)(6) in Zones A1-30, AE, AH (elevate to the BFE) or Section 60.3(e)(8) in Zones V1-30, VE and V (elevate to the BFE).

Louisiana ACT 12 - GRANTS

The Governor recognized that there is a financial shortfall at the local and parish level with implementation of ACT 12, and has set-aside \$25 million dollars through two (2) grant programs to provide some assistance to the code officials.

The first grant is through the Federal Housing and Urban Development (HUD) Office, through the State Office of Community Development (OCD), and will be administered by the State of Louisiana, Department of Public Safety (DPS). This grant program has set-aside \$11.379 million dollars for the eleven (11) most severely damaged parishes to provide a state selected vendor to provide Plan reviews and inspection, only, on an as-requested basis as substantiated.

The State of Louisiana has developed a Request For Proposal (RFP) to select the vendor. The RFP's were opened on Tuesday, December 5, 2006, and a vendor was selected. DPS anticipates this vendor being ready to begin providing those services before January 1, 2007. The second grant program is from the Federal Emergency Management Agency (FEMA) through the Governor's Office of Homeland Security and Emergency Preparedness, with assistance from DPS, and will allow the local or parish government to select the method of code enforcement. This grant program will allow (in addition to plan reviews and inspections) information technology setup, and rental of support equipment, among other things. The FEMA grant is in the amount of \$14 million dollars. Both programs are on a reimbursement basis only.

OVERVIEW OF ACT 12 2005 FIRST EXTRAORDINARY SESSION OF THE LA LEGISLATURE:

In 2005, the Insurance Industry was instrumental in proposing introduction of a statewide mandated construction code, and were successful with the adoption of Act 12, which was signed by Governor Blanco on November 29, 2005.

The new law mandated enforcement and created among other things, an emergency period which required immediate enforcement of the wind and flood provisions of the 2003 Edition of the IBC and the International Residential Code (IRC) for the eleven (11) parishes referenced in the law, which are Calcasieu, Cameron, Vermilion, Iberia, St. Tammany, Orleans, Jefferson, St. Bernard, Plaquemines, Terrebonne, and Lafourche. The emergency provision required compliance within thirty (30) days of the Governor's signature for local and parish governments that had existing code enforcement in place, and ninety (90) days for those that did not. Those folks are providing those services as of March of 2006.

The new law created the Louisiana State Uniform Construction Code Council (LSUCCC), which is a nineteen (19) member group of folks, appointed by the Governor, and became the promulgating authority for construction codes in the state. The new law went further in mandating statewide enforcement of all seven (7) construction codes referenced in the law no later than January 1, 2007.

The new law does allow specific structures to be exempt from these requirements, such as mobile homes. The new law requires all Building Code Enforcement Officers (BCEO) to be registered with the LSUCCC on an annual basis, and be certified by the ICC within the discipline that they perform code enforcement. The new law also created qualifications for private individuals to participate in the code enforcement process with the creation of the Third-Party Provider (TPP) provisions, and these individuals must also be registered with the LSUCCC, and be certified the same as municipal employees. The law stated that to be qualified as a TPP one must be either a Louisiana Licensed Architect or Engineer, or Certified by the ICC. An amendment to the law allowed a Licensed Contractor to qualify as a TPP for the emergency provision period only, which will expire on January 1, 2007. All TPP must comply with any local or parish procedures established for that jurisdiction prior to the issuance of a Certificate of Occupancy (CO).

Local and parish governments have options on implementation of this new law. They can, obviously, continue to perform these types of services, contract with a neighboring jurisdiction to perform the services, or contract with a TPP to provide the services. The law requires enforcement through a plan review and inspection process to assure compliance. The LSUCCC can accept local or parish amendments to the LSUCC and adopt those amendments, if justified. The adopted amendments can be specific to that jurisdiction, or be specific to a region, or be adopted statewide. All proposed amendments to the technical portion of the LSUCC must be adopted by the LSUCCC. Subsequent amendments to the LSUCCC are 1) Act 11 of the First Extraordinary Session of 2006; 2) Acts 420, 431, 458, and 769 of the Regular Session of 2006.

To view the specific laws, go to the Legislative website at www.legis.state.la.gov & search for these Acts.

To view the current list of TPP, go to the OSFM website at www.dps.state.la.gov/sfm & look at the emergency wind and flood provisions and click on List of Third-Party Providers.

To view the LSUCCC rules, as published, go to the Office of State Register at www.doa.state.la.us/osr & look for the September and November Louisiana Register under Public Safety, State Uniform Construction Code.

You may call the LSUCCC Administrator, Mr. Curt McCarty, at 225-922-0817, or email curt.mccarty@dps.la.gov for more information.





Our goal is flood loss reduction . . .

We are here to provide any guidance needed to assure that NFIP regulations are carried out and violations prevented.

If you or someone you know would like to receive future copies of this newsletter please contact our office:

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